
Congressman Greg Walden's Oregon Congressional Connection

Your Direct Link to the News and Events in the Nation's Capital

Monday, February 4, 2002

Dear Fellow Oregonian:

Today I'm pleased to update you on a tremendous development in the Klamath Basin that will likely be a watershed event – no pun intended – in the water crisis that has been ongoing since April of last year. I hope you'll take a moment to read the "Klamath Update" below to find out more about the science behind the federal government's decision to shut off water to irrigators in the Basin.

In this edition of the Oregon Congressional Connection, I've also included information about the upcoming week in Congress, including legislation we'll take up and committee hearings. As always, you can find additional information about developments in Congress on my web site at www.walden.house.gov.

If you have any questions or comments about this e-newsletter or anything else taking place in Congress and our nation's capital, please e-mail me at greg.walden@mail.house.gov. My staff and I will get back to you as quickly as possible.

I hope you find this week's Oregon Congressional Connection informative. Thank you.

God Bless America.

Congressman Greg Walden

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Klamath Update

The farmers, fish and fowl are about to see a better day in the Klamath Basin. Today I traveled to the Klamath Basin to speak to more than 500 farmers, ranchers, and community residents and announce details of a newly released National Academy of Sciences (NAS) report on endangered species in the Klamath River Basin. The report, entitled “Scientific Evaluation of Biological Opinions on Endangered and Threatened Fishes in the Klamath River Basin,” confirms beyond question that the shut-off of irrigation water to farmers and ranchers in the Klamath Basin was NOT based on sound science. The report concludes that there is no scientific basis for maintaining higher water levels in Upper Klamath Lake or higher minimum flows in the Klamath River for threatened species, as recommended in a biological opinion released by the U.S. Fish and Wildlife Service (USFS) in 2001. (To read the NAS report in its entirety, please click on the following link: <http://walden.house.gov/issues/klamath/nasmaster.pdf> or visit my web site at www.walden.house.gov.)

The NAS report exposes flawed decisions that were made in the name of protecting fish, which forced family farmers and ranchers to go bankrupt and brought widespread harm to the economic vitality of the entire Klamath community. Moreover, these same bad decisions – which were not based on sound science – have the potential to cause degradation of endangered species in the Basin. Simply put, the government got it wrong.

The decision by the Department of the Interior to require higher water levels in Upper Klamath Lake, coupled with last year’s severe drought, led to the denial of water to local irrigators and caused extreme financial hardship for farmers and ranchers in the Klamath Basin. In addition to finding that scant scientific evidence exists to justify the water shut-off to irrigators, the NAS report further establishes that the water levels recommended in the USFS biological opinion may in fact be detrimental to endangered species.

I commend Interior Secretary Gale Norton for ordering this important report. Had we not gotten an outside review of the science and the decisions leading to the water shut-off, the federal government would have continued down the wrong road. Now we find out that higher lake levels don’t help suckers and higher stream flows may actually kill Coho salmon. What we have known all along is that this combination has been destroying agriculture in the Basin and leveling an economic sledgehammer on the community.

It is incumbent upon the federal government to review this report and develop an operations plan that is based on sound science. We need a plan that will help fish without crippling farmers and ranchers. We need to tackle the habitat, fish passage and water storage problems that have been identified by the government and supported by

agriculture for more than a decade. And we need to keep after it until these projects are done. Today, we have thousands of farmers and ranchers wondering whether they will have water to plant crops and grow feed in a few months. They can't get the operating loans they need until they can give that answer to their lenders. The government needs to act and act soon.

The NAS report confirms what many farmers and ranchers have insisted for years: that there is no scientific evidence establishing a correlation between high lake levels and survival of suckers. The report states,

A substantial data-collection and analytical effort by multiple agencies, tribes, and other parties has not shown a clear connection between water level in Upper Klamath Lake and conditions that are adverse to the welfare of the suckers. Also, extremes of chemical conditions considered threatening to the welfare of the fish have not coincided with years of low water level, and the highest recorded recruitment of new individuals into the adult populations occurred through reproduction in a year of low water level. The committee concludes that there is presently no sound scientific basis for recommending an operating regime for the Klamath Project that seeks to ensure lake levels higher on average than those occurring between 1990 and 2000.

In addition to concluding that no scientific evidence exists to support higher lake levels for suckers, the NAS report indicates that higher stream flows in the Klamath River may have the perverse effect of harming the species they are supposed to help. The report states,

Although the proposed higher flows are intended to increase the amount of habitat in the main stem, the increase in habitat space that can occur through adjustments in the water management in dry years is small (a few percent) and possibly insignificant. Furthermore, tributary conditions appear to be the critical factor for this population; these conditions are not affected by operations of the Klamath Project....Finally, and most importantly, water added as necessary to sustain higher flows in the main stem during dry years would need to come from reservoirs, and this water could equal or exceed the lethal temperatures for Coho salmon during the warmest months. The main stem already is excessively warm. Juvenile fish living there probably tolerate its temperature only because of the presence of groundwater seepage or small tributary flows that provide pockets of cool water. Additional of substantial amounts of warm water could be detrimental to the Coho salmon by reducing the size of these thermal refuges.

The NAS report raises the question of whether releasing warm water from reservoirs to increase stream flows may prove lethal to the very salmon we're trying to help. Further, it shows that higher lake levels may do nothing to help suckers.

As you might know, last year I introduced legislation in the U.S. House entitled the Sound Science for Endangered Species Act Planning Act of 2001 (H.R. 2829) in an effort

to ensure that decisions made by the government to protect endangered species are based on science that has been field-tested or peer-reviewed. The crisis in the Klamath Basin is yet another example of why we need to amend the Endangered Species Act to require outside, independent analysis of the science that goes into decisions concerning threatened and endangered species. We must make sure that another 'Klamath' does not happen. How are we to have confidence in this law if flawed decisions are made in its application that result in both economic ruin and environmental degradation?

I discussed the water crisis in the Klamath Basin at length with President George W. Bush aboard Air Force One during the President's January 5, 2002, trip to Portland, Oregon. My staff and I have worked closely with White House aides and key federal agencies to try to resolve the water crisis, and I've submitted to the President a detailed list of recommendations toward that end. Be sure to read future editions of the Oregon Congressional Connection to keep updated on the Klamath Basin water crisis and my efforts to find a solution to this ongoing tragedy.

On the Homefront

On Monday, February 04, 2002, I took part in an event in Hood River before heading to Klamath Falls. Below was my schedule for the first half of the day.

9:15 to 10:15 PM – I joined local leaders and representatives of the Port of Hood River and Columbia Gorge Community College in touring the proposed site of the Hood River Integrated Technology Center. I helped to secure \$150,000 in federal funding for the Hood River Integrated Technology Center in the Labor, Health and Human Services, and Education Appropriations Act for Fiscal Year 2002 in the last session of Congress.

Committee Hearings – All Times Pacific

Tuesday, February 5, 2002

11:30 AM – House Budget Committee full committee hearing on the President's Budget for Fiscal Year 2003. Witness: Mitchell Daniels, Director, Office of Management and Budget (OMB). To listen to this hearing live, please visit the following link:
<http://www.house.gov/budget/>.

7:00 AM – House Energy and Commerce Subcommittee on Oversight and Investigations hearing to examine the findings of Enron's special investigative committee with respect to transactions between Enron and some of its current and former officers and employees. Witnesses: William Powers, Jr., chairman, special investigative committee, Enron. For more information regarding this hearing, please visit the following link:
<http://energycommerce.house.gov>.

7:00 AM – House Financial Services Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises hearing to examine the collapse of Enron, Anderson's

accounting, and the impact on investors and financial markets. Witnesses: Joseph Berardino, managing partner/CEO, Anderson LLP.

7:00 AM – House Ways and Means Committee full committee hearing on the President's budget proposals for Fiscal Year 2003. Witnesses: Treasury Secretary Paul O'Neill.

7:00 AM – Joint Economic Committee full committee hearing on the Economic Report of the President. Witnesses: Glenn Hubbard, chairman, Council of Economic Advisers (CEA); Mark McClellan, member, CEA; Randall Kroszner, member, CEA.

Wednesday, February 6, 2002

6:30 AM – House Appropriations Subcommittee on Military Construction hearing on appropriations for Fiscal Year 2003 military construction, focusing on quality of life issues.

7:00 AM – House Appropriations Subcommittee on Transportation and Related Agencies hearing on Fiscal Year 2003 appropriations for the Transportation Security Administration. Witnesses: John Magraw, under secretary, Security, Transportation Department.

7:00 AM – House Armed Services Committee full committee hearing to receive testimony on the Fiscal Year 2003 National Defense Authorization budget request. Witnesses: Defense Secretary Donald Rumsfeld; Gen. Richard Myers, Chairman, Joint Chiefs of Staff. For more information regarding this hearing, please visit the following link: <http://www.house.gov/hasc/schedules/>.

7:00 AM – House Budget Committee full committee hearing on the Treasury Department's budget priorities for Fiscal Year 2003. Witness: Treasury Secretary Paul O'Neill. To listen to this hearing live, please visit the following link: <http://www.house.gov/budget/>.

7:00 AM – House Education and the Workforce Committee full committee hearing on the Enron collapse and its implications for the retirement security of America's workers.

7:15 AM – House International Relations Committee full committee hearing on the President's international affairs budget request for Fiscal Year 2003. Witness: Secretary of State Colin Powell. To listen to this hearing live, please visit the following link: http://www.house.gov/international_relations/schedule.htm.

7:00 AM – House Small Business Committee full committee hearing to examine small business access to health care. Witness: Rep. Ernest Fletcher (R-KY). To listen to this hearing live, please visit the following link: <http://www.house.gov/smbiz/audio/index.html>.

7:00 AM – House Ways and Means Committee full committee hearing on the President's Fiscal Year 2003 budget of the Health and Human Services Department.
Witness: HHS Secretary Tommy Thompson

9:30 AM – House Energy and Commerce Committee full committee hearing on developments relating to Enron and its relationship with Anderson LLP. For more information regarding this hearing, please visit the following link:
<http://energycommerce.house.gov>.

11:00 AM – House Ways and Means Committee full committee hearing on the President's budget for Fiscal Year 2003. Witness: Mitchell Daniels, Director, Office of Management and Budget.

Thursday, February 7, 2002

7:00 AM – House Education and the Workforce Committee full committee hearing on the Enron collapse and its implications for the retirement security of America's workers (Part Two).

7:00 AM – House Energy and Commerce Subcommittee on Oversight and Investigations Subcommittee hearing to examine the findings of Enron's special investigative committee with respect to certain transactions between Enron and some of its current and former officers and employees. For more information regarding this hearing, please visit the following link: <http://energycommerce.house.gov>.

7:00 AM – House Science Committee full committee hearing on "The Future of DOE's Automotive Research Programs." To listen to this hearing live, please visit the following link: <http://www.house.gov/science/welcome.htm>.

7:00 AM – House Small Business Subcommittee on Technology Access Rural Enterprises, Agriculture, and Technology hearing on "Small Business Access to Technology." To listen to this hearing live, please visit the following link:
<http://www.house.gov/smbiz/audio/index.html>.

7:00 AM – House Ways and Means Committee full committee hearing on the President's trade agenda for 2002. Witnesses: U.S. Trade Representative Robert Zoellick.

On the House Floor – All Times Pacific

On Monday, February 4, the House met at 9:00 AM in a pro forma session. On Tuesday, February 5, the House will meet at 9:30 AM for morning hour and 11:00 AM for legislative business. On Wednesday and Thursday, February 6 and 7, the House will meet at 10:00 AM for legislative business. On Friday, February 8, the House will not be in session.

On February 6, the House will consider the following piece of legislation:

H.R. 3394 - [Cyber Security Research and Development Act](#)

H.Con.Res. ____ -- Expressing the sense of the House of Representatives that the tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001 passed by a bipartisan majority in Congress should continue as scheduled.

Online Survey on www.walden.house.gov

In order to keep abreast of the issues that matter most to Oregonians, I've added a new online survey to my web site at www.walden.house.gov. If you have not already done so, I hope you'll take a moment to register your positions. And please tell your friends, family and coworkers about the new survey and encourage them to fill it out.

My survey asks Oregonians their opinions on a variety of local and national issues, including the war on terrorism, education reform, efforts to stimulate the economy, and the federal government's natural resource policies. Keeping informed about the positions of the people I represent in Congress is critical to my being able to serve them effectively.

My web site also contains a year-end congressional report to taxpayers in Oregon, regular updates on the Klamath Basin crisis, and other developments in Congress.

Sending mail to Capitol Hill

Regular U.S. mail delivery to my congressional office in Washington, D.C. continues to be slow and unreliable. While I was advised that mail delivery would resume in late November of 2001, the process of irradiating incoming mail to protect against bio-terrorism continues to cause lengthy delays. As a result, I have not been able to respond to a number of Oregonians who have contacted me via regular mail since early October.

Until an efficient reliable means of delivering regular mail to congressional offices is established, I encourage you to communicate with me in Washington, D.C., by fax at (202) 225-5774 and by email at greg.walden@mail.house.gov. You can also send U.S. mail to my district offices in Medford and Bend at the addresses below. My district staff keeps me closely apprised of the mail I receive when I'm not in Oregon.

Medford District Office
843 East Main Street
Suite 400
Medford, OR 97504

Bend District Office
Jamison Building

Suite 211
131 NW Hawthorne
Bend, OR 97701

Second District Trivia

This week's question: Where did the Oregon Trail originate? Bonus question:
approximately how long was the Oregon Trail?

For the answer to this question and to take a crack at past questions, click here:

<http://www.walden.house.gov/trivia/trivia.htm>

For more information on these and other issues, please visit my website at
www.walden.house.gov or call my Washington, D.C., office at (202) 225-6730. You can
also call my Medford office toll-free at (800) 533-3033. If you have any questions or
comments, please send them to dallas.boyd@mail.house.gov. If you'd like to be removed
from the "Oregon Congressional Connection" list simply send an email to newsletter-
request@or02list.house.gov and type UNSUBSCRIBE in the subject line.